

Message Text

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ORIGIN STR-05

INFO OCT-01 IO-13 ISO-00 STRE-00 COME-00 TRSE-00 LAB-04
AGRE-00 AID-05 FEA-01 CEA-01 CIAE-00 DODE-00
EB-08 FRB-03 H-01 INR-07 INT-05 L-03 NSAE-00
NSC-05 PA-01 CTME-00 SS-15 ITC-01 USIA-06 PRS-01
SP-02 OMB-01 /089 R

DRAFTED BY STR:MPOMERANZ:TI
APPROVED BY STR:WKELLY (TPSC)
STATE:TO,HERRON
COMMERCE:WCAVITT
TREASURY:WBARREDA
LABOR:GPRATT/EHABERTON
AGRICULTURE:RSCHROETER/JBEHSON
STR:SCOFFIELD
STR:MSMITH

-----005733 300526Z /14

P 300054Z NOV 77
FM SECSTATE WASHDC
TO USMISSION GENEVA PRIORITY

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E.O. 11652: N/A

TAGS:ETRD, GATT

SUBJECT: GATT PANEL ON THROWN SILK

REF: GENEVA 10626

1. THE FOLLOWING CHANGES ARE SUGGESTED IN THE PANEL DRAFT
REPORT FORWARDED PER THE REFERENCE MESSAGE.

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2. IN PARA. 7 ON THE SECOND LINE REPLACE THE WORDS "SINCE
MID-1976" WITH "BETWEEN FEBRUARY 1976 AND THE INCEPTION OF
THE PRIOR PERMISSION SYSTEM,.

3. IN PARA. 10, ON THE FOURTH LINE, REPLACE THE WORD
"RESTRICTIONS" WITH "EMBARGO". ON THE EIGHTH LINE AFTER THE

SENTENCE ENDING "SUPPLIERS OF THROWN SILK YARN." INSERT ADDITIONAL SENTENCE WHICH READS "THE STRINGENT QUANTITATIVE RESTRICTIONS WERE EVIDENCED BY THE FACT THAT FOLLOWING U.S. EXPORTS OF \$2.8 MILLION OF THROWN SILK YARN TO JAPAN IN 1975, WITH FURTHER LICENSES FOR ANOTHER \$3.2 MILLION GRANTED PRIOR TO FEBRUARY 1976, VIRTUALLY NO LICENSES WERE GRANTED THEREAFTER." AT THE END OF THE EXISTING TEXT OF PARA. 10 ADD THE SENTENCE "THIS VIEW WAS SHARED BY THE EUROPEAN COMMUNITY."

4. IN PARA. 12, ON LINE BEGINNING "QUANTITATIVE RESTRICTIONS" ADD TO THAT SENTENCE "AS THEY WERE UNDER THE PRIOR CONFIRMATION SYSTEM". THE NEXT SENTENCE SHOULD BE REVISED TO READ "THE JAPANESE PRIOR PERMISSION SYSTEM, MOREOVER, DID NOT ALLOCATE QUOTAS APPROXIMATING THE MOST RECENT REPRESENTATIVE PERIOD, THAT IS, THE PERIOD IMMEDIATELY PRECEDING THE IMPOSITION OF THROWN SILK RESTRICTIONS, WHEN U.S. TRADE IN THROWN SILK REFLECTED THE CHANGES IN THROWN SILK WORLD TRADE WHICH HAD OCCURRED. INSTEAD JAPAN GRANTED ENTRY TO ONLY A TOKEN AMOUNT"... AND THEN PICK UP THE REST OF THE ORIGINAL TEXT OF THIS LAST SENTENCE.

5. PARAGRAPH 17 REFERS TO INFORMATION ON THE PRIOR CONFIRMATION SYSTEM PUBLISHED IN THE OFFICIAL GAZETTE DATED 23 FEBRUARY 1976. DEL SHOULD POINT OUT TO THE PANEL AND TO THE SECRETARIAT THAT THIS PUBLICATION HAS NEVER BEEN PRESENTED IN EVIDENCE AND SO WE ARE NOT, NOR ARE THEY, IN ANY LIMITED OFFICIAL USE

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POSITION TO EVALUATE WHETHER IN FACT IT DOES RESPOND TO THE U.S. COMPLAINT.

6. WITH REGARD TO PARA. 20, ON LINE 2, STRIKE THE WORDS "AMONG THE" AND ON THE FOLLOWING LINE THE WORDS "REFERRED TO,. IN THE FIFTH LINE, THE SENTENCE WHICH READS "IN FACT JAPANESE IMPORTERS SOUGHT"... IN PLACE OF THE WORD "JAPANESE" INSERT 'MOST DOMESTIC CUSTOMERS AND'. AFTER THE SENTENCE ENDING "...IRRELEVANT TO THE CASE AT HAND." ADD THE FOLLOWING SENTENCE "THE EC, IN ITS PARTICIPATION, NOTED A LONG HISTORY OF SUCH THROWN SILK EXPORTS TO JAPAN AND SHARED THE VIEW AS TO THE IRRELEVANCY OF THE NUMBER OF TWISTS." A CONFORMING AMENDMENT WOULD THEN BE REQUIRED IN THE NEXT SENTENCE IN PLACE OF THE WORD "HE" INSERT ,THE REPRESENTATIVE OF THE UNITED STATES". FINALLY, AT THE END OF PARA. 20, INSERT THE FOLLOWING SENTENCE. "HE FURTHER ARGUED THAT ARTICLE XX(D) IS APPLICABLE ONLY IF THE ACTIONS TAKEN ARE TO SECURE COMPLIANCE WITH LAWS OR REGULATIONS WHICH ARE NOT INCONSISTENT WITH OTHER PROVISIONS OF THE GENERAL AGREEMENT, AND THAT SINCE JAPANESE ACTION ON THROWN SILK NOT CONSISTENT WITH OTHER ARTICLES (INCLUDING XVII), ARTICLE XX(D) DOES NOT APPLY". VANCE

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Message Attributes

Automatic Decaptioning: X
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Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SILK, COMMITTEE MEETINGS, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Sent Date: 30-Nov-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
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Format: TEL
From: STATE
Handling Restrictions: n/a
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Legacy Key: link1977/newtext/t1977113/aaaaabxe.tel
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Litigation History:
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